

APPENDIX A

REQUEST FOR JUDICIAL NOTICE

Judicial Notice	
Exhibit	Description
A-D	Issued patents
E	Published patent application
F-N	Certified copies of TM registrations

ATTORNEY DECLARATIONS

Van Hoosear Declaration	
Exhibit	Description
V-1	Shuck video clips (filed under seal)
V-2	DiTolla video clips (lodged)
V-3	Carden video clips (filed under seal)
V-4	BruxZir Compendium: video clips (lodged)
V-5	BruxZir Compendium: Entire DVD (lodged)

Jankowski Declaration (Public Exhibits)		
Exhibit	Depo Ex. (if any)	Description
Glidewell discovery responses		
1	23	GL's responses to first set of rogs
2	N/A	GL's responses to second set of rogs
3	N/A	GL's responses to RFAs
Glidewell public depo transcripts		
4	N/A	DiTolla transcript
5	N/A	Bartolo transcript
6	N/A	Allred transcript
Glidewell public business documents		
7	8	GL e-mail blasts (color)
8	11	GL list of authorized labs (color)
9	13	GL BruxZir website (color)
10	14	GL color mailer to customers
11	15	GL color brochures
12	17	GL letter to customers re \$99 BruxZir product
13	18	GL marketing piece by Minzenmayer, COO
14	19	GL's press releases (PRWeb)
15	67	Carden article

16	68	Carden article
17	69	Carden article
18	116	Email from DiTolla to Shuck
GL's trademark enforcement communications		
19	29	Bartolo to Shaun Keating
20	107	Allred email cc'ing Bartolo
21	108	Allred email cc'ing Bartolo
22	109	Allred email cc'ing Bartolo
23	140	Tachner to Gourde
24	141	Allred email to third party
25	142	Allred email to third party
26	143	Allred email to third party
27	144	Allred email to third party
28	145	Allred email to third party
29	146	Allred email to third party
30	147	Allred email to third party
31	148	Allred email to third party
32	149	Allred email to third party
33	150	Allred email to third party
34	151	Allred email to third party
Third party documents		
35	20	Dental Arts Laboratories web page
36	21	Artiste Dentistry LLC web page
37	28	Barth Dental Lab web page
38	31	Showcase Dental Lab web page
39	32	China Dental Outsourcing web page
40	34	Dental Products Shopper blog post; Cynthia Jetter
41	45	USFDA adverse event report
42	46	Trachsel Dental Studio prescription form
43	47	Dani Dental Studio prescription form
44	N/A	Assemblage of third party web sites
Exhibit B to the Complaint		
45		
46	514	Keating web page showing KDZ family
47	517	Keating marketing showing KDZ Bruxer
48	518	Keating KDZ Bruxer Fact Sheet
49	520	Introducing the KDZ Family

Mangum Declaration (Exhibits That Include Non-Public Information)		
Exhibit	Depo Ex. (if any)	Description
Transcripts with AEO information in them		
50	N/A	Shuck
51	N/A	Carden
52	N/A	Friebauer
53	N/A	Brandon
54	N/A	Keating excerpts
Business Documents with AEO information in them		
55	508	
56		<i>Native Excel file of 508</i>
57	509	
58		<i>Native Excel file of 509</i>
59	510	Nussear prescription form, etc.
60	511	Subset of first set of Rx forms
61	N/A	Full presentation of first set of Rx forms
62	512	Second set of Rx forms
63	513	
64		<i>Native Excel file of 513</i>

EXPERT DECLARATIONS

Boatright Declaration	
Exhibit	Description
A	Rebuttal report
B	Prosecution history for BruxZir (crowns)
C	Prosecution history for BruxZir (ceramic)

Eggleston Declaration	
Exhibit	Description
65-67	Expert reports (opening; rebuttal; supplemental)
68-78	Scholarly articles
79-84	Public information regarding Glidewell's products
85-106	All-zirconia crowns offered for sale by third parties
107-120	The use of "Brux" or "Bruxer" to identify crowns for bruxers
121-126	The use of "Brux" to identify products used to treat bruxism
127-135	The use of "Zir" to identify products made from zirconia
136	Assemblage of web pages from GL's "authorized" dental labs (lodged)
137	Assemblage of Rx forms from GL's "authorized" dental labs (lodged)

THIRD PARTY DECLARATIONS**Keating Dental Arts' Employee**

Keating Declaration		
Exhibit	Depo Ex. (if any)	Description
A	N/A	2006 fee schedule
B	N/A	2007 fee schedule
C	N/A	Advertisement, shows KDA winning award
D	N/A	Advertisement, mentions trade show
E	N/A	Assembly of advertisements
F	N/A	Form letter announcing KDZ product family

Showcase Dental Laboratory Employee

Frattura Declaration	
Exhibit	Description
A	Prescription forms
B	Communication with Glidewell

Keating Dental Arts' Customers/Dentists

Dr. Belton Declaration	
Exhibit	Description
A	Prescription form

Dr. Brady Declaration	
Exhibit	Description
A	Prescription form

Dr. Campbell Declaration	
Exhibit	Description
A	Prescription form

Dr. Colleran Declaration	
Exhibit	Description
A	Prescription form

Dr. Jacquinot Declaration	
Exhibit	Description
A	Prescription form

Dr. Murphy Declaration	
Exhibit	Description
A	Prescription form

Dr. Myers Declaration	
Exhibit	Description
A	Example prescription form, blank (state of Missouri)
B	Prescription form

Dr. Nussear Declaration	
Exhibit	Description
A	Prescription form

Dr. Richardson Declaration	
Exhibit	Description
A	Prescription form

Dr. Scott Declaration	
Exhibit	Description
A	Prescription form

Dr. Stephens Declaration	
Exhibit	Description
A	Prescription form

Dr. Sweet Declaration	
Exhibit	Description
A	Prescription form

Dr. Tobin Declaration	
Exhibit	Description
A	Prescription form